

1FW RCE/2133

PTO/SB/30 (10-01)

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# REQUEST

FOR

## CONTINUED EXAMINATION (RCE)

### TRANSMITTAL

Address to:  
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|                        |                            |
|------------------------|----------------------------|
| Application Number     | 09/871,596                 |
| Filing Date            | May 30, 2001               |
| First Named Inventor   | Noriyuki SARUHASHI, et al. |
| Art Unit               | 2133                       |
| Examiner Name          | Torres, Joseph D.          |
| Attorney Docket Number | 81754.0061                 |

#### This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

#### 1. Submission required under 37 CFR 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on July 26, 2004. (copy enclosed)  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

#### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

#### 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.


- a. ☒ The Director is hereby authorized to charge any insufficiency, or credit any overpayments, to Deposit Account No. 50-1314.

- i. ☐ RCE fee required under 37 CFR 1.17(e) | 09/28/2004 AWONDAF1 00000057 09871596
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) | 01 FC:1801 770.00 0P
- iii. ☐ Other \_\_\_\_\_

- b. ☒ Check in the amount of \$ 770 is enclosed for the RCE fee.
- ☒ Check in the amount of \$ 840 is enclosed for 3-month extension of Time fee.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

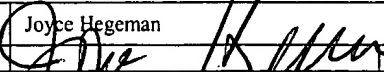
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#### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                   |   |                                   |                    |
|-------------------|---|-----------------------------------|--------------------|
| Name (Print Type) | Troy M. Schmelzer   | Registration No. (Attorney Agent) | 36,667             |
| Signature         |  | Date                              | September 22, 2004 |

#### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

|                   |   |      |                    |
|-------------------|---|------|--------------------|
| Name (Print Type) | Joyce Hegeman   | Date | September 22, 2004 |
| Signature         |  |      |                    |

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